

### **REMARKS**

#### **Status of the Application**

Claims 1-27 are pending in the application and have been examined. With this Amendment, Applicant cancels claim 27.

After entry of this Amendment, claims 1-26 will be pending in the application.

#### **Formalities**

Applicant thanks the Examiner for considering the references cited with the Information Disclosure Statements filed on October 7, 2005, January 16, 2007, May 14, 2007, and February 12, 2009.

#### **Summary of Substance of Interview**

Applicant thanks the Examiner for the courteous and productive telephonic interview conducted on March 20, 2009. During the interview, the Examiner's comments regarding the Information Disclosure Statement filed on February 12, 2009, and the 35 U.S.C. were discussed.

With regard to the IDS, Applicant's representative explained that translations of the cited references were not required, and that a concise statement of relevance for the cited foreign language references had been submitted with a translation of the pertinent portion thereof. The Examiner agreed that the IDS was in compliance, and agreed to consider the references cited with the IDS.

Applicant's representative also proposed amendments to claims 1 and 17-26 to overcome the § 101 rejection, and amendments to claims 3, 5 and 7 to overcome the § 112 rejection. The Examiner agreed that the proposed amendments to claims 1 and 17-26 would overcome the §

101 rejection of claims 1-8 and 17-26. Claims 1 and 17-26 have been amended as agreed upon with the Examiner. Claim 27, which contained the limitations incorporated into claims 17-26, has been canceled without prejudice or disclaimer.

Finally, Applicant's representative proposed amendments to claims 3, 5 and 7 to overcome the § 112 rejection. The Examiner agreed that the proposed amendments to claims 3, 5 and 7 would overcome the § 112 rejection, and noted that claims 11, 13, 15, 19-21 and 24 should be similarly amended. Claims 3, 5, 7, 11, 13, 15, 19-21 and 24 have been amended as agreed upon with the Examiner.

#### **Objections to the Drawings**

The Examiner objected to Fig. 1 as allegedly requiring a legend such as "Prior Art." Applicant has amended Fig. 1 to include the legend "Related Art," and respectfully requests that this objection be withdrawn.

#### **Objections to the Claims**

Claim 18 has been objected to as including the phrase "conforming to a first speech coding scheme," which was deleted from the other independent claims. Applicant has deleted this phrase from claim 18, and respectfully requests that this objection be withdrawn.

#### **Claim Rejections**

##### ***Claims 3, 5 and 7 — 35 U.S.C. § 112***

Claims 3, 5 and 7 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Specifically, the Examiner alleges that the phrases "characteristic amount" and "characteristics suitable" are indefinite.

Applicant respectfully submits that amendments to claims 3, 5 and 7 clarify the above-noted phrases and overcome this rejection. In addition, Applicant has provided similar clarifying amendments to claims 11, 13, 15, 19-21 and 24. These amendments were agreed upon with the Examiner, as noted above. Applicant respectfully requests that this rejection be withdrawn.

***Claims 1-8 and 17-27 — 35 U.S.C. § 101***

Claims 1-8 and 17-27 have been rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Specifically, the Examiner alleges that these claims are directed to a computer program which does not fall within one of the statutory classes.

Applicant has amended claim 1 to recite that the first code string data is decoded with a "first speech decoding circuit," thereby providing statutory structure to the claim. Applicant respectfully submits that the § 101 rejection of claim 1 and dependent claims 2-8 have been overcome and should be withdrawn.

Further, Applicant has amended independent claims 17-26 to recite a statutory construct of a computer program embodied in a tangible computer readable medium. Claim 27 has been canceled. Applicant respectfully submits that the § 101 rejection of claims 17-26 have been overcome and should be withdrawn.

These amendments to claims 1 and 17-26 were agreed upon with the Examiner, as noted above.

***Claims 1-27 — 35 U.S.C. § 102(b)***

Claims 1-27 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by WO 99/38155 to Ojala *et al.* ("Ojala"). Claim 27 has been canceled. Applicant traverses the rejection of claims 1-26.

Addressing claim 1, Ojala does not disclose or suggest at least decoding the first code string data with a first speech decoding circuit to generate a first decoded speech, correcting signal characteristics of the first decoded speech to generate a second decoded speech, and encoding the second decoded speech in accordance with the second speech coding scheme to generate the second code string data, as recited in the claim.

Ojala is directed to a postfiltering system adapted according to a long-term average bit rate (page 8, lines 4-7), and discloses various configurations of post filters. See for example, page 8, lines 26-31; page 13, line 8-page 14, line 23; Fig. 8). As further disclosed by Ojala the decoding and postfiltering block decodes and filters the coded speech signal coming from the mobile station, whereafter the speech signal can be transferred in the usual manner as uncompressed speech forward in the telecommunication network (page 15, lines 21-24). Thus, Ojala discloses only decoding and postfiltering of a speech signal for forwarding of the uncompressed signal. Ojala, however, is silent as to decoding, correcting, and recoding a speech signal as required by the claim.

Therefore, since Ojala not disclose or suggest at least decoding the first code string data with a first speech decoding circuit to generate a first decoded speech, correcting signal characteristics of the first decoded speech to generate a second decoded speech, and encoding the

second decoded speech in accordance with a second speech coding scheme to generate the second code string data, as claimed by Applicant, Ojala does not anticipate claim 1.

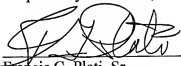
Accordingly, claim 1 is patentable over Ojala. Claims 9, 17-20 and 24 contain features similar to the features recited in claim 1 and are therefore patentable for similar reasons. Claims 2-8, 10-16, 21-23, 25 and 26 are patentable at least by virtue of their dependencies from one of claims 1, 9, 18, 20 and 24.

### Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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